



# **NW WATER, FISH, AND PEOPLE**

**Emily Washines**

2025



# OVERVIEW

- Restoring Land to Historical Use Important to teach about 7 fish in the Nch'i Wāna
- Tribal identity is intertwined with the river and fish.
- Native American Language in and of itself is a data set.
- Imperative to learn the names that the fish have been called for thousands of years on this river.
- Tribal Sovereignty, Treaties & Court Cases
- *Protect the Resources for those not yet born*

# SOURCES:

- Natural Restoration and Cultural Knowledge of the Yakama Nation By Emily Washines and Jerry Peltier
- [How Learning About Salmon Connects Kids to Culture \(and the Seven Fish They Should Know\) - Confluence Project](#) by Emily Washines
- [Elementary-activities\\_placemat.pdf \(yakamafish-nsn.gov\)](#) by the Yakama Nation
- [https://yakamafish-nsn.gov/sites/default/files/Middle-factsheets\\_and\\_project\\_overviews\\_0.pdf](https://yakamafish-nsn.gov/sites/default/files/Middle-factsheets_and_project_overviews_0.pdf) by the Yakama Nation
- *The Pathway of Reaffirming Treaty Rights* Voices of the River, The Confluence Project (Vol. 1, 2022) by Emily Washines.
- Fish Warriors Article by Emily Washines (2019)  
<https://www.cascadiamagazine.org/features/fish-warriors/>
- Columbia Riverkeeper. Snake River Dams in Context: Past, Present, and Future (2024).

# RESTORING LAND TO HISTORICAL USE




- *A grounded model theory*

Emily Washines, 2025

# THE RETURN OF THE WÁPTU





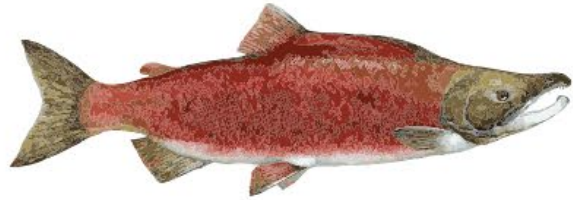
**How do we learn  
about water & fish?  
Who teaches us?**



# Seven Fish

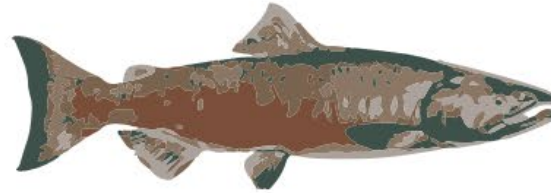
1. **Asúm (eel-like lamprey)**
2. **Kalúx (Sockeye)**
3. **Shusháyynsh (Steelhead)**
4. **Sinux (Coho)**
5. **Tkwīxnat (Chinook)**
6. **Wílaps (White Sturgeon)**
7. **Wilxina (Smelt).**

# Fish & Nch'i Wāna (Columbia River)



## SOCKEYE

Sockeye travel hundreds of miles and climb thousands of feet to spawn, where females release an average of 3,500 eggs.



## CHINOOK

Spring chinook are the largest salmon species. They take cover in deep pools before traveling along the Columbia to spawn in tributaries.



## COHO

Coho salmon turn red in the fall of their third year as they begin to spawn, where they deposit 3,000–4,000 eggs.



## PACIFIC LAMPREY

Lamprey are eel-like fish that spend one to three years in the ocean before returning to spawn.



## WHITE STURGEON

White sturgeon are the largest freshwater fish in North America and can live to be more than 100 years old.



## STEELHEAD


Steelhead are trout that migrate to the ocean before returning to spawn after two years. About 10–15% of steelhead don't die after spawning.



# Fish & Nch'i Wāna (Columbia River)



*Smoking Smelt,  
Aaron Whitefoot  
taken on  
Feb. 17, 2020*



**“The knowledge of fish is not just stagnant in books or pictures. This knowledge is carried by generations before us and passed down to generations not yet born.”**

*– Emily Washines*

# ASÚM




Emily Washines, 2025

# Kalúx



Emily Washines, 2022



**“From a Yakama perspective,  
that light in our eyes connects  
to the water, the silver scales  
of the fish as they swim  
upstream so they can blend  
with the water to camouflage  
from predators...”**

*– Emily Washines*



**What is your  
favorite fish?**

# Time Immemorial - Treaty of 1855:

- **Since time Immemorial:** Tribal people live, fish, and sustainably manage the fisheries resources in Nch'í Wana, which is now named the Columbia River Basin
- **1855:** Fishing Rights draw upon the Treaties, which reserved rights including hunting, gathering, and fishing within their reservation, ceded area, and all usual and accustomed places. (Yakama Treaty 12 Stat 951).



**Where does the  
lack of  
understanding  
for tribes and  
their rights  
stem from?**



Photo by Intisar Abioto, Cascadia Magazine



THERE WERE TWO INTERPRETATIONS OF THE FISHING CONTROVERSY EVEN AT THE NEGOTIATIONS ON THE TREATY, AND THE INDIANS SECURED A SPECIAL ARTICLE IN THE TREATY TO COVER THEIR RIGHTS TO TRADITIONAL GROUNDS FOR FISHING. THE ARTICLE HAS BEEN THE CENTER OF CONFLICT IN THE INTERVENING CENTURY AND A QUARTER AND IS PROBABLY THE SINGLE MOST FAMILIAR TREATY PROVISION IN THE NATION: ARTICLE THREE. THE RIGHT OF TAKING FISH, AT ALL USUAL AND ACCUSTOMED GROUNDS AND STATIONS, IS FURTHER SECURED TO SAID INDIANS IN COMMON WITH ALL CITIZENS OF THE TERRITORY, AND OF ERECTING TEMPORARY HOUSES FOR THE PURPOSE OF CURING, TOGETHER WITH THE PRIVILEGE OF HUNTING, GATHERING ROOTS AND BERRIES, AND PASTURING THEIR HORSES ON OPEN AND UNCLAIMED LANDS: PROVIDED, HOWEVER, THAT THEY SHALL NOT TAKE SHELLFISH FROM ANY BEDS STAKED OR CULTIVATED BY CITIZENS.

**Vine Deloria Jr.**

*Indians of the Pacific Northwest: From the Coming of the White Man to the Present Day*



# Timeline: 1905-1950

- **1905:** The Supreme Court (U.S. v. Winans) reaffirms that treaties prevent the States, or their citizens, from blocking Tribal fishing access. Justice Mckenna's opinion notes that the right to fish is "not much less necessary to the existence of the Indians than the atmosphere they breathed."
- **1925:** The Yakama Nation petitions President Coolidge to defend treaty rights against infringement by the State of Washington. Yakama leaders travel to Washington D.C. to advocate for treaty rights.
- **1942:** The Supreme Court (Tulee v. Washington) overturns the conviction of Yakama fisherman Sampson Tulee, reaffirming treaty fishing rights and ruling that tribal members do not need state-issued fishing licenses.
- **1950:** The Washington Department of Fisheries opposes building four dams on the Lower Snake River because they would "jeopardiz[e] more than one-half of the Columbia river salmon production in exchange for 148 miles of subsidized barge route."



# U.S. v. Winans 1905

- **In 1905**, the United States Supreme Court issued its landmark decision in the case known as *United States v. Winans* which held that the Treaty with the Yakama, protected our rights to fishing, hunting, and other rights.
- **U.S. Supreme Court Justice Joseph McKenna** wrote that for the Yakama people fishing for salmon in the Columbia River is “*not much less necessary...than the atmosphere they breathed.*”
- **The Supreme court** further explained that the rights retained by the Yakama Nation in our Treaty of 1855 “*...was not [as] a grant of rights to the Indians but a grant of rights from them.*” this fundamental principal is known as the Reserved Rights Doctrine.


Washines, Emily. *The Pathway of Reaffirming Treaty Rights* Voices of the River, The Confluence Project (Vol. 1, 2022) Photo by Vibert Jeffers (1921)





# State v. Towessnute and State v. Meninock

- Citations of Yakama tribal fishers at Top-tut (Prosser Falls, Washington) began in 1915 and started lengthy court battles, which were [State v. Towessnute](#) and [State v. Meninock](#).
- From 1915-1921 the tribe lost two fishing cases related to Top-tut, (Prosser Falls Fisheries). The court revisited these cases in 2015 and 2020.
- If they lost the fishing cases, but their convictions were not overturned for over 90 years, how did Yakamas continue to fish at Top-tut without being taken to court?



***“Think of the vision of our elders of that time, to be continue to protect the fishing rights for those not yet born.”***

– Tony "Kywamat" Washines

*(State v. Towessnute and State v. Meninock 1915-2021)*